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1 BILL NO. R-79-08-39

2 RESOLUTION NO. R-

55-79

3 A RESOLUTION of the Common Council  
4 setting forth the policy of the City  
5 in regard to the annexation of  
6 Concordia Gardens.

7 WHEREAS, the annexation of territory to the City is a legislative  
8 function; and

9 WHEREAS, the Common Council is called upon in the preparation of  
10 the City budget to provide for the furnishing of municipal services to the  
11 entire City including newly annexed areas, and

12 WHEREAS, the Common Council desires that newly annexed areas receive  
13 the full measure of municipal services; and

14 WHEREAS, the Common Council has before it an ordinance (Bill No.  
15 X-77-06-27) for the annexation of the Concordia Gardens annexation area, more  
16 specifically described, to-wit:

17 Commencing at the intersection of the east right-of-way  
18 line of Red Haw Drive and the west right-of-way line of  
19 No. Clinton Street (Leo Road); thence northeast along  
20 the west right-of-way line of N. Clinton Street (Leo  
21 Road) to a line projected west from the north property  
22 line of Concordia Senior College; thence east along said  
23 projected line and continuing along north property line  
24 of Concordia Senior College and a line projected east to  
25 the normal centerline of the St. Joseph River, this line  
26 being the present Corporate Limits; thence in a north-  
27 erly direction following the meanderings of the center-  
28 line of the St. Joseph River to its intersection with a  
29 projection east of the north line of Concordia Gardens  
30 Addition; thence west along said projection and the  
31 north line of Concordia Gardens Addition to the east  
32 right-of-way line of Leo Road; thence southerly along  
33 the east right-of-way line of Leo Road to the south right-  
34 of-way line of Auburn Road; thence northwesterly along  
35 south right-of-way of Auburn Road to east right-of-way  
36 line of Interstate Highway 69; thence southwesterly along  
37 east right-of-way line of Interstate Highway 69 to its  
38 intersection with the present Corporate Limits, a point  
39 approximately 1937.5 feet north of the south line of the  
40 NE  $\frac{1}{4}$  of Section 13, T 31 N, R 12 E; thence east along  
41 said line to the east right-of-way line of Red Haw Drive;  
42 thence south along east right-of-way line of Red Haw Drive  
43 to the intersection of the west right-of-way line of N.  
44 Clinton Street (Leo Road) the point of beginning. An area  
45 of approximately 255 acres more or less.

46 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY  
47 OF FORT WAYNE, INDIANA:

1           SECTION 1. That in the case of the Concordia Gardens annexation  
2 it is the policy of the City of Fort Wayne to follow the provisions of Common  
3 Council Resolution No.           with regard to the provision of non-capital  
4 and capital services to the annexation area.

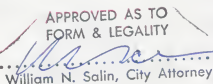
5           SECTION 2. That it is the policy of the City to follow the annexa-  
6 tion fiscal plan for said described territory as prepared by the Department  
7 of Community Development and Planning.

8           SECTION 3. That said plan sets forth cost estimates of the services  
9 to be provided, the methods of financing these services, the plan for the  
10 organization and extension of these services, delineates the non-capital  
11 improvement services to be provided within one (1) year of annexation, the  
12 capital improvement services to be provided within three (3) years of annexa-  
13 tion, and the plan for hiring employees of other governmental entities whose  
14 jobs will be eliminated by this annexation.

15           SECTION 4. Said plan is hereby approved and adopted by the Common  
16 Council and shall be in force upon the effective date of the Concordia Gardens  
17 annexation ordinance.

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\_\_\_\_\_  
Councilman

APPROVED AS TO  
FORM & LEGALITY  
  
William N. Solin, City Attorney

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Placed  
\_\_\_\_\_ and duly adopted, read the second time by title and referred to the  
Committee on Annexation (and the City Plan Commission for  
recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers,  
City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-14-79

Charles W. Winterman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_  
seconded by D. Schmidt, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-25-79

Charles W. Winterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 8-55-79 on the 25th day of September, 19\_\_\_\_

ATTEST: (SEAL)

Charles W. Winterman  
CITY CLERK

Winifred C. Wingo JR.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th  
day of September, 19\_\_\_\_, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Winterman  
CITY CLERK

Approved and signed by me this 28th day of September, 19\_\_\_\_  
at the hour of 4:30 o'clock P M., E.S.T.

Robert E. Armstrong  
MAYOR

Bill No. R-79-08-39

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance

A RESOLUTION of the Common Council setting forth the policy  
of the City in regard to the annexation of Concordia Gardens

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have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

SAMUEL J. TALARICO

*J. H.*

*Vivian G. Schmidt*

*Samuel J. Talarico*

9-25-79  
DATE 9-25-79 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION NO.

A RESOLUTION of the Common Council  
setting forth the policy of the City  
in regard to the annexation of Con-  
cordia Gardens

WHEREAS, the annexation of territory to the City is a legislative function; and

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas, and

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and

WHEREAS, the Common Council has before it an ordinance (Bill No. X-77-06-27) for the annexation of the Concordia Gardens annexation area, more specifically described, to-wit:

Commencing at the intersection of the east right-of-way line of Red Haw Drive and the west right-of-way line of No. Clinton Street (Leo Road); thence northeast along the west right-of-way line of N. Clinton Street (Leo Road) to a line projected west from the north property line of Concordia Senior College; thence east along said projected line and continuing along north property line of Concordia Senior College and a line projected east to the normal centerline of the St. Joseph River, this line being the present Corporate Limits; thence in a northerly direction following the meanderings of the centerline of the St. Joseph River to its intersection with a projection east of the north line of Concordia Gardens Addition; thence west along said projection and the north line of Concordia Gardens Addition to the east right-of-way line of Leo Road; thence southerly along the east right-of-way line of Leo Road to the south right-of-way line of Auburn Road; thence northwesterly along south right-of-way of Auburn Road to east right-of-way line of Interstate Highway 69; thence southwesterly along east right-of-way line of Interstate Highway 69 to its intersection with the present Corporate Limits, a point approximately 1937.5 feet north of the south line of the NE  $\frac{1}{4}$  of Section 13, T 31 N, R 12 E; thence east along said line to the east right-of-way line of Red Haw Drive; thence south along east right-of-way line of Red Haw Drive to the intersection of the west right-of-way line of N. Clinton Street (Leo Road) the point of beginning. An area of approximately 255 acres more or less.

BE IT THEREFORE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That in the case of the Concordia Gardens annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. \_\_\_\_\_ with regard to the provision of non-capital and capital services to the annexation area.
2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.
3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.
4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the Concordia Gardens annexation ordinance.

43.1  
TITLE OF ORDINANCE CONCORDIA GARDENS ANNEXATION RESOLUTIONDEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNING

Q-79-08-35

SYNOPSIS OF ORDINANCE Resolution confirms that the City has developed a  
definite policy for providing services to Concordia Gardens. It also clearly  
links the proposed General Annexation Resolution with the annexation fiscal plan  
and the annexation ordinance for Concordia Gardens. This seems to be required by  
Indiana annexation law, I.C. 18-5-10-25, as recently revised.

EFFECT OF PASSAGE A definite policy is established for providing services to  
Concordia Gardens and the City is more assured of acting consistently with  
Indiana annexation law. (I.C. 18-5-10-25)

EFFECT OF NON-PASSAGE \_\_\_\_\_  
The City could pass an annexation ordinance for Concordia Gardens that is not consistent  
with Indiana annexation law (I.C. 18-5-10-25).

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_  
To be explained by Concordia Gardens annexation Fiscal plan.

ASSIGNED TO COMMITTEE (J.N.) Annexation